

FILED
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U.S. DISTRICT COURT E.D.N.Y.

★ APR 27 2009 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROSALIE T. APTACY,

Plaintiff,

-against-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.
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An Order of Honorable John Gleeson, United States District Judge, having been filed on April 23, 2009, reversing the Commissioner's decision, pursuant to the fourth sentence of 42 U.S.C. § 405(g); and remanding plaintiff's claim for further administrative proceedings, including but not limited to considering the effects of plaintiff's obesity and, if necessary, obtaining testimony from a vocational expert; it is

ORDERED and ADJUDGED that the Commissioner's decision is reversed, pursuant to the fourth sentence of 42 U.S.C. § 405(g); and that plaintiff's claim is remanded for further administrative proceedings, including but not limited to considering the effects of plaintiff's obesity and, if necessary, obtaining testimony from a vocational expert.

Dated: Brooklyn, New York
April 27, 2009

s/Robert C. Heinemann

ROBERT C. HEINEMANN
Clerk of Court